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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,877	10/20/2003	Dean P. Macri	42P17676	3892

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EXAMINER

HASSAN, AURANGZEB

ART UNIT PAPER NUMBER

2182

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/689,877	Applicant(s) MACRI, DEAN P.	
	Examiner Aurangzeb Hassan	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Fritz Fleming
FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
9/5/2006

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 – 5, 8, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Long et al. (US Publication Number 2002/0144175 hereinafter "Long").

3. As per claims 1, 8 and 16 Long teaches a method, comprising: receiving video information from a remote program (programs stored in memory 24, figure 3, paragraphs [0018-0019]) over a first bidirectional communication link (bus 30, figure 3, paragraph [0034], transmitting according to VESA standard, paragraph [0020]); directing the video information to a display device (video controller 74 directs to a display peripheral 42a paragraphs [0025 & 0035], figure 3); receiving input information from an input device (keyboard input, [0024]); and sending the input information to the remote program over a second bidirectional communication link that is different than the first bidirectional communication link (second communication link 30', input is sent back to CPU over a second bidirectional link).

4. As per claim 3, Long teaches a method wherein the sending the input information

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over a second communication link is performed concurrently with the receiving video information over a first communication link (communication over 30 occurs for peripheral input concurrently with video data sent over 30, paragraph [0043]).

5. As per claims 4, 5 and 18, Long teaches a method and machine readable medium wherein the high-bandwidth information is video information (high-bandwidth video information communication link 30, figure 3), and wherein the low-bandwidth information is control information (low-bandwidth use for peripheral communication link, 30', figure 3).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 7, 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Long in view of Smith et al. (US Patent Number 6,599,194 hereinafter "Smith").

8. As per claim 2, Long teaches directing video information to displays (paragraph [0024]).

Long does not disclose decoding the video data.

Smith teaches decoding the video information before the directing (NTSC decoder, element 250, figure 6a, column 17, lines 53 – 67).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Long with the above teachings of Smith. One of ordinary skill would be motivated to make such a well-known modification in order to provide depth and realism in a video environment (column 1, lines 22 – 30)

9. As per claim 7, Long teaches a method executing a remote program on a remote computing device.

Long does not disclose the type of program.

Smith teaches a method wherein the remote program includes a video game or video display application executed on a remote computing device (processor runs video game program, column 8, lines 33 – 48).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Long with the above teachings of Smith. One of ordinary skill would be motivated to make such modification in order to accommodate flexibility for the user operations (Smith: see abstract).

10. Long modified by the teachings of Smith as applied in claim 7 above as per claim 15, Smith teaches an apparatus wherein the output interface is arranged to direct the output data to a display (element 60, figure 1a, column 5, lines 15 – 29), and wherein

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the input interface is arranged to receive the input data from a game controller (controllers 56, figure 1a, column 5, lines 15 – 29).

11. Long modified by the teachings of Smith as applied in claim 7 above as per claim 19, Smith teaches, a machine readable medium wherein the remote program is a video game or a video player program (processor runs video game program, column 8, lines 33 – 48).

12. Claims 6 and 9 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Long in view of Joyner et al. (US Publication Number 2003/0033555 hereinafter “Joyner”).

13. As per claims 6 and 9 – 14, Long teaches a method and apparatus wherein the first and second communication link includes a wired link (communication link 30, figure 3, paragraph [0034], command line 30', figure 3, paragraphs [0043 – 0044]).

Long does not disclose the first and second communication links as wireless, however mentions wireless as a flexibility in communication links (paragraph [0056]).

Joyner discloses the capability of wired or wireless and as per claims 6, 9 – 14, teaches a method and apparatus wherein the first communication link includes a wired or wireless link and wherein the second communication link includes a wired or wireless link (paragraph [0062]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention modify Long with the above teaches of Joyner. One would be motivated to make such modification in order to provide an improved data processing system architecture having reduced latency for transaction between physically remote processors (paragraph [0006]).

14. Claims 21 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vistar Telecommunications Inc. Zuliani et al. (WO 97/65432 hereinafter "Zuliani", cited as prior art 4/20/2005) in view of Sony (DIRECTV Digital Satellite Receiver, page 8).

15. Referring to claim 21, Zuliani discloses a media adapter comprising:

- a wireless (element 2 of figure 1) communication interface (elements 8 to 9 of figure 1) to receive video data from a remote program (element 4 of figure 1, which runs remote applications as seen in figure 2 processor 48);

- a second wireless communication interface (element 2 of figure 1) to send control data to the remote program (element 4 of figure 1);

- a display interface (element 10 of figure 1) to direct the video data to a display device (element 11 of figure 1);

- an input interface (elements 10 and 12 of figure 1) to receive the control data for the remote program (element 4 of figure 1) from a controller (element 12 of figure 1);

and

a processor (set top controller element 63 of fig 3 and in detail figure 4) arranged to direct the video data to the display interface and to direct the control data to the wired communication interface.

Zuliani does not disclose the second wireless communication interface utilized to send control data to be a wired interface.

Sony explicitly discloses a set-top box for an analogous embodiment of a satellite environment utilizing a wired communication interface to send control data to the remote program (telephone line 2, page 8).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Zuliani with the above teaches of Sony. One of ordinary skill in the art would be motivated to make such modifications in order to for flexibility in satellite functionality (page 2, telephone direct ticket capabilities).

Long modified by the teachings of Smith as applied in claim 7 above as per claim 19,
Smith

Zuliani modified by the teachings of Sony as applied to claim 21 above, Zuliani describes referring to media adapter claim 22, wherein processor is further arranged to direct control data to the wired communication interface while directing the video data to the display device (page 8, the purchase process in displaying video data concurrently with ordering products).

16. Zuliani modified by the teachings of Sony as applied to claim 21 above, referring to media adapter claim 23, Zuliani describes decoding the video information before the directing. (Elements 54, 57, and 58 of figure 3, para 1 of page 7)

Zuliani expresses various decoders that would equate to a subset of the decoding process expressed in claim 23: an FEC decoder, and MPEG video and audio decoders.

17. Zuliani modified by the teachings of Sony as applied to claim 21 above, Zuliani describes referring to media adapter claim 24, wherein processor is further arranged to encode (element 71 Encoder) the control data before directing it to the wired communication interface (paragraphs 3 & 4 of page 7).

18. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zuliani in view of Sony further in view of Perlman (US Publication Number 2004/0110466).

19. Zuliani does not describe referring to media adapter claim 25, sending video to the remote program.

Perlman discloses a wireless transceiver (element 71, figure 3) utilized to send and receive video data from a satellite in a bidirectional manner (paragraph [0028]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Zuliani and Sony with the above

teachings of Perlman. One of ordinary skill in the art would be motivated to make such modifications in order to enhance satellite connectivity to users (paragraph [0028]).

Response to Arguments

20. Applicant's arguments, see Pre-Appeal Conference Request, filed 5/17/2006, with respect to Claims 1-20 have been fully considered and are persuasive. The finality of Claims 1 - 20 has been withdrawn.

21. Applicant's arguments filed 5/17/2006 with respect to claims 21 – 25 have been fully considered but they are not persuasive. The original rejection consisting of the original Zuliani reference holds to anticipate the unamended claims and stand with respect to the applicant's arguments and the examiner has provided an additional reference to better understand the rejection.

Applicant argues:

1) Zuliani's hub element 4 of figure 1 does not comprise of a program.

22. As per argument 1, the Examiner disagrees. The hub of Zuliani comprises interactive home shopping with payment data as well a wide variety of infotainment programs as stated on page 4 paragraph 7. Clearly from this citation one recognizes the program composition a home shopping service as well as interactive infotainment services, which require data acquisition, and processing completed by a remote program.

Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aurangzeb Hassan whose telephone number is (571)272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571)272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH

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